3

CH/09

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition NO. 3272 /2003

PETITIONER : Adverd Minj, S/o.Late Shri Late Lucas Minj , Caste Urawn Aged about 65 years, R/o. Village Amandon, Tahsil Pratappur, Distt. Sarguja(C.G.)

P. R. No. 3130/03 D.N. Received
Presented by Shri ....
dated 09/10/03

VERSUS

RESPONDENTS :1. The State of Chhattisgarh Through Secretary Revenue Department D.K.S. Bhawan, Raipur (C.G.)

RECEIVED COPY. 9.10. CLERK TO A.G. BILASPUR

2. The Collector Sarguja (C.G.)

3. The State Revenue Board Chhattisgarh Bilaspur (C.G.)

4. Smt. Phulbasiya, D/o. Ratani Caste Gond, R/o. Vill. Amandon Tah. Pratappur, District Sarguja (C.G.)

शपथ आयुक्त एम.के. शुक्ला बिलासपुर (छ.ग.) 09/10/03 बेलसपुर तहसील सेल

WRIT PETITION U/A 226/227 OF THE CONSTITUTION OF INDIA

1. **PARTICULARS OF THE PETITIONER**

As stated above in the cause title.

2. **PARTICULARS OF THE RESPONDENTS**

As stated above in the cause title.

XI-HC-22

(31)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3272 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	24.11.2003 Shri D.N. Prajapati, counsel for the petitioner. Heard. By this writ petition under Article 226 / 227 of Constitution of India the petitioner has challenged the order dated 27.08.2003 passed by the Board of Revenue in case No.423/A-6-A/02-03 (Annexure P-3) and order dated 05.08.2003 passed by the Collector Distt. Sarguja in case No.50-A-6-A/02-03 (Annexure P-2) Perusal of the order of the Collector dated 05.08.2003 reveals that the said order was purely a temporary order and that too till next date of hearing or till the respondent makes his presence before the Court and against that order the petitioner moved before the Board of Revenue and Revenue Board rejected the revision on the ground that the case is fixed for hearing on 26.08.2003, therefore, there is no justification on considering the impugned order, as the order passed by the Collector was purely a temporary order till next date of hearing or till the respondent makes his presence. Instead of approaching Courts after Courts the petitioner ought to have waited till next date of hearing and after filing of the	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

reply ought to have waited till the disposal of interim application by the Collector and only after the disposal of the application he ought to have approached the Court or at-least in the situation where the interim order was to be continued for indefinite period. The learned counsel in not in a position to tell what is the status of the stay application as on today.

In view of the above, I do not find any substance in this writ petition. Therefore, it is dismissed.

Consequently, M.W.P. No.2986/03 & I.A. No.9608/03 stand disposed of.

Sd/-
L.C.BHADOO
Judge

[पीछे देखिये